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Commissioner For Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dated: July 23, 2008

Wahid P. Fawad

PATENT

Attorney docket No. 31950-4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application Ser. No. 10/761,901
Filing Date: 01/20/2004
Art Unit: 3627

Examiner: Haider, Fawaad

Art Unit: 3627

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

The restriction requirement raised in the Office Action mailed June 30, 2008 is respectfully traversed.

Regarding the restriction between the claims in Group I (claims 1-4) and the claims in Group II (claims 5-14), the Examiner has stated that the apparatus claims of Group I and the method claims of Group II define distinct inventions because the method can allegedly be practiced in many different ways, for example, "the statements can be determined by hand" (citing MPEP § 806.05(e)). Section 806.05(e) states that process and apparatus for its practice can be shown to be distinct inventions if either or both of the following can be

shown: (A) that the process *as claimed* can be practiced by another materially different apparatus or by hand; or (B) that the apparatus *as claimed* can be used to practice another materially different process. In the restriction requirement, the Examiner is apparently relying on part (A) of this section of the MPEP. If so, the applicant fails to see how the method of claim 4 can be performed by hand.

Claim 4 requires the steps of (a) providing a sheet medium having a surface on which billing statement information can be formed and an information storage and transfer circuit in which billing statement information can be stored; (b) forming billing statement information on the surface of the sheet medium in visible form; and (c) storing an identical version of the billing information formed in step (b) in the information storage and transfer circuit in a read-only manner so that the prepared billing statement contains a visible version of the information and an electronic version of the information which cannot be altered but can be extracted for courier routing and payment purposes. While it may be theoretically possible to perform steps (a) and (b) by hand, the applicant knows of no way to perform step (c) by hand. In particular, the act of storing information in an information storage and transfer circuit in a read-only manner requires the use of electronic apparatus capable of effecting such storage. Consequently, it is respectfully submitted that the restriction requirement between the claims of Group I and the claims of Group II is in error and should be withdrawn.

Regarding the restriction between the claims in Group I (claims 1-4) and the claims in Group III (claims 15-20), the Examiner has stated that the apparatus claims of Group I and the apparatus claims of Group III are distinct because the apparatus defined by the claims of Group III has separate utility such as having an applicable set of conditions about game demographics. Claim 15 recites a reading station for enabling extraction of billing statement information from an information storage and transfer circuit carried by a billing statement contained in an envelope, said information storage and transfer circuit having an electronic copy of billing information printed on said billing statement stored therein in a read-only manner; said reading station comprising:

a housing having front, side and rear walls forming a receptacle for receiving said envelope

an antenna carried by one of said walls;

a display carried by one of said walls; and

an rfid reading system comprising a transceiver coupled to said antenna and a processor coupled to said transceiver and said display for inductively transferring energy to said information storage and transfer circuit, for reading said billing statement information therefrom, and for displaying said billing statement information on said display.

The applicant does not understand how the apparatus of claim 15 can have the separate utility ascribed to it by the Examiner. Claim 15 requires an rfid reading system for reading billing statement information from the information storage and transfer circuit carried by a billing statement contained in an envelope, and for displaying the billing statement information on a display. The Examiner has failed to demonstrate that an applicable set of conditions about game demographics is known to be stored in an information storage and transfer circuit carried by a billing statement contained in an envelope. If the Examiner is aware of any such teaching, he is invited to cite evidence in support of this assertion. Otherwise, it is respectfully submitted that the restriction requirement between the claims of Group I and the claims of Group III is in error and should be withdrawn.

In view of the above remarks, it is respectfully submitted that the restriction requirement is not supportable and the Examiner is requested to withdraw the restriction requirement in its entirety.

Solely for the purpose of complying with the requirements of 37 CFR, the applicant provisionally elects the claims in Group I (claims 1-4), with traverse, for further prosecution on the merits.

If deemed useful in any further prosecution of this application, the Examiner is invited to contact the undersigned by telephone at (702)-270-8853.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Warren P. Kujawa". The signature is fluid and cursive, with a large, stylized initial 'W'.

Warren P. Kujawa

Reg. No. 25142